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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,215	11/29/2000	Kazuo Sasaki	1405.1028/JDH	6349
21171	7590	02/23/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/725,215

Applicant(s)

SASAKI ET AL.

Examiner

Thong H Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-8 and 10-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 2-8,10-13 are pending.
2. Amendment filed on 1/05/05 has been entered. Applicant's arguments with respect to claims 2-8,10-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2-8,10-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yamashita et al [Yamashita 6,755,743 B1].

3. As per claim 10, Yamashita discloses a user-status setting method in which a user terminal can send, receive, and display a user status and a character message on at least one virtual space shared on a network [Yamashita, abstract], the method comprising:

storing a plurality of user-status-selection tables including a list of configurable user statuses registered for each virtual space in which a user participates [Yamashita, database stores registration information for setting up a round robin mode, col 3 lines 10-60; a character customized, col 29 lines 36-46],

reading out the user-status-selection table of a virtual space in which a user terminal participates when the user terminal has participated in each virtual space [Yamashita, select and executes an easy battle mode, col 3 lines 61-67],

displaying on the user terminal the list of the selectable user statuses for each virtual space based on the read-out user-status-selection table [Yamashita, in status S40, display the member list W8, col 21 line 62-col 22 line 5; col 23 line 65-col 24 line 17; viewed from every position in the game space, col 35 lines 47-54];

setting a user status which was selected from the list of selectable user statuses for each virtual space in which the user has participated [Yamashita, set up to battle in the round robin style using the member list, col 24 lines 1-18; viewed from every position in the game space, col 35 lines 47-54];

sending to each virtual space the set user status, receiving from each virtual space the set user status, and displaying the set user status for each virtual space [Yamashita, a character customized, col 29 lines 36-46; customization mode, col 31 lines 43 et seq.,].

4. Claims 11,12 contain the similar limitations set forth of apparatus claim 10. Therefore, claims 11,12 are rejected for the similar rationale set forth in claim 10.

5. As per claim 2, Yamashita discloses user status data and a user attribute defining a configurable user statuses are correlatively registered in the status table.

Art Unit: 2142

6. As per claim 3, Yamashita discloses a common table in which prescribed user statuses are registered is previously prepared, and said common table is obtained if no status table is prepared for a virtual space in which user terminals participate, and a user status on said virtual space is set for the virtual space based on an obtained common table.

7. As per claim 4, Yamashita discloses the setting of a user status by a user is accepted [Yamashita, accepted, col 12 lines 45-56; col 13 lines 24-30; affirm, col 18 lines 24-34].

8. As per claim 5, Yamashita discloses said user terminal can display a user status with a symbol (i.e.: icon), the user status and the symbol are correlatively registered in a status table, and a status of another user sharing a virtual space is displayed with a symbol relating to the user status [Yamashita, icon, col 16 lines 55-60].

9. As per claim 6, Yamashita discloses a list of user statuses registered in an obtained status table is displayed independently for each virtual space [Yamashita, independent mode, col 15 lines 1-12] in which user terminals participate, selection of any user statuses on the list is accepted for each virtual space, and a user status is set for each virtual space [Yamashita, it possible to change the characters adapted to each client system and updates the user DB with the changed contents, col 15 lines 1-12].

Art Unit: 2142

10. As per claim 7, Yamashita discloses a computer-readable recording medium having a status setting module [Yamashita, creation of the forum at the status S13, col 21 lines 5-17].

11. As per claim 8, Yamashita discloses a transmission medium transmitting a status setting module [Yamashita, creation of the forum at the status S13, col 21 lines 5-17].

12. As per claim 13, Yamashita discloses the user status includes a string of characters entered by the user [Yamashita, character strings, col 12 lines 21-26 et seq].

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- USP 6,564,244 B1. Ito discloses a chat network monitoring every occurring status change.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142

